

STATE OF TEXAS §  
COUNTIES OF ARANSAS §  
SAN PATRICIO AND NUECES §  
CITY OF ARANSAS PASS §

On this the 15<sup>th</sup> day of June, 2009 the City Council of the City of Aransas Pass convened in a Regular Council Meeting being open to the Public at the regular meeting place thereof in the City Hall and notice of said meeting giving the time, place, date and subject hereof having been posted and prescribed by Chapter 551 of the Texas Government Code with the following attendance to wit constituting a quorum.

PRESENT: Tommy Knight, Mayor  
Jay Attaway, Mayor Pro Tempore  
Vickie Abrego, Council Member  
Phillip Hyatt, Council Member  
Karen Mayer, Council Member

ABSENT:

ADMINISTRATIVE  
PERSONNEL PRESENT: Mike Sullinger, Interim City Manager  
Allen Lawrence, City Attorney  
Ada Owens, City Secretary

ADMINISTRATIVE  
PERSONNEL ABSENT:

STAFF PRESENT: Bill Haines, Asst. Police Chief/Harbormaster  
Don Brummett, Acting Public Works Director  
Frank Truitt, City Inspector  
Rickie Kilgore, Fire Chief  
Kasi Tandy, Aquatics Director

OTHERS PRESENT: Lu & Ralph Arcemont, Robin White, Jim & Alpha Covington, Deborah Harris, Marilyn Rimer/Herald Newspaper, Jeannie Brummett, Ed & Ellie Block, E Garner, Avery Garner, Tirzah Garner, Ernie & Olivia Torres, Sherla Denny, Earl Shedd, Earl Buckmaster, Patty Gildin, Rose Mary Upton, Nancy Allen

*There may have been others present who did not sign in.*

**ITEM 1. CALL MEETING TO ORDER.**

Mayor Knight called the meeting to order at 7:00 p.m. on June 15, 2009.

**ITEM 2. INVOCATION AND PLEDGE OF ALLEGIANCE TO THE UNITED STATES FLAG.**

Council Member Abrego gave the invocation. Mayor Knight led the Pledge of Allegiance to the United States flag.

**ITEM 3. CONSIDER AND ACT ON APPROVAL OF MINUTES OF MAY 22 AND JUNE 1, 2009.**

Council Member Mayer made the motion to approve the minutes of May 22 and June 1, 2009. Council Member Hyatt seconded the motion and the motion carried unanimously.

**ITEM 4. CONSIDER AND ACT ON APPROVAL OF NEW PUBLIC WORKS DIRECTOR AND AQUATICS DIRECTOR.**

Interim City Manager Mike Sullinger introduced Kasi Tandy and Paul Alvarado to the City Council stating that Ms. Tandy was the new Aquatics Director and was doing a good job organizing and improving the Aquatics Center.

Ms. Tandy stated she came from Corpus Christi where she had run five pools. She stated if the Council had any questions or concerns they should call her.

Mayor Knight stated he had heard good reports on the condition of the pool and staff since Ms. Tandy was hired.

Council Member Mayer commented on the cleanliness and organization of the Aquatics Center.

Mr. Sullinger stated Mr. Alvarado was the new Public Works Director upon the retirement of the Acting Public Works Director Donald Brummett. He stated Mr. Alvarado lived in Aransas Pass; previously worked in Portland; had many years experience in Public Works with good recommendations; and the required licenses.

Mayor Knight and Council Member Mayer commented Mr. Alvarado would be a good addition to the City.

Mr. Alvarado stated he had worked for the City of Aransas Pass for nine years before his employment with the City of Portland.

Mayor Pro Tempore Attaway made the motion to approve the hiring of the new Public Works Director Paul Alvarado and Aquatics Director Kasi Tandy. Council Member Mayer seconded the motion and the motion carried unanimously.

**ITEM 5. CONSIDER AND ACT ON APPOINTMENT OF PERMANENT BOARD MEMBERS TO THE CRIME CONTROL AND PREVENTION BOARD.**

*Council Member Abrego made the motion to untable Item 5. Mayor Pro Tempore Attaway seconded the motion and the motion carried unanimously.*

Mayor Pro Tempore Attaway made the motion to appoint George Binder, Laura Simank, Earl Buckmaster, Thomas Hargrave, James Mills, Michael Keller, and Terry Stansberry as the Permanent Board Members to the Crime Control and Prevention Board. Council Member Mayer seconded the motion.

Upon Mayor Knight's call for discussion, Council Member Abrego stated Laura Simank already served on another board, was there any way another person could be appointed?

Discussion followed concerning other applicants that also serve on other Boards, the limited number of applicants, the delay of choosing applicants to re-advertise for more applicants, time limits for appointments, and recruiting applicants that do not serve on other Boards.

Upon a call for the vote from Mayor Knight, the motion carried unanimously.

**ITEM 6. CONSIDER AND ACT ON TEAL CONSTRUCTION'S PAY APPLICATION NO. 15 (CIVIC CENTER).**

*Council Member Mayer made the motion to untable Item 6. Council Member Abrego seconded the motion and the motion carried unanimously*

Mr. Sullinger stated this was the last payment for the Civic Center and the architect and City Inspector had signed off on the Civic Center. He stated technical issues with the electrical had been resolved. He stated Pay Application No. 16 was for the retainage.

Mayor Knight stated a motion was needed for Item No. 6 and 7.

Council Member Abrego made the motion to approve Teal Construction's Pay Application 15 and Pay Application No. 16. Council Member Hyatt seconded the motion and the motion carried unanimously.

**ITEM 7. CONSIDER AND ACT ON TEAL CONSTRUCTION'S PAY APPLICATION NO. 16 (CIVIC CENTER).**

Approved with Item 6.

**ITEM 8. CONSIDER AND ACT ON APPROVING RESOLUTION 2009-619 – TAX RESALE OF LOTS 5 AND 6, BLOCK 515, CITY OF ARANSAS PASS.**

*Mayor Pro Tempore Attaway made the motion to untable Item 8. Council Member Mayer seconded the motion and the motion carried unanimously*

Mayor Knight stated the bid for the tax resale property was from Habitat for Humanity.

Discussion was held regarding forgiving a demolition and two mowing liens for the nonprofit organization that bid on the property and the property being back on the tax rolls after the house was built.

Mayor Pro Tempore Attaway made the motion to approve Resolution 2009-619 – tax resale of Lots 5 and 6, Block 515, City of Aransas Pass, Texas for \$500.00 and waive all present liens with the City of Aransas Pass. Council Member Mayer seconded the motion and the motion carried unanimously.

**ITEM 9. CONSIDER AND ACT ON AN INTERLOCAL AGREEMENT WITH SAN PATRICIO COUNTY REGARDING THE 2009 BYRNE JUSTICE ASSISTANCE GRANT (JAG) PROGRAM AWARD.**

Council Member Mayer asked how much was the grant award amount?

Mr. Sullinger stated the grant award was \$43,437.00. He stated the City would receive \$27,982.00 and San Patricio County would receive \$15,455.00. He stated the grant would buy computer equipment for patrol cars. He stated the grant would have to go before two other agencies before the grant was awarded.

Council Member Mayer made the motion to approve an Interlocal Agreement with San Patricio County regarding the 2009 Byrne Justice Assistance Grant Program Award. Mayor Pro Tempore Attaway seconded the motion and the motion carried unanimously.

**ITEM 10. CONSIDER AND ACT ON RESCHEDULING THE DATE FOR A WORKSHOP TO DISCUSS ON-GOING PROJECTS, GRANTS, FUTURE PROJECTS, AND STATE OF THE CITY.**

Mr. Sullinger stated Naismith Engineering personnel could not attend the workshop scheduled for June 18 (2009) and indicated Naismith's input was needed.

After discussion regarding dates, Mayor Pro Tempore Attaway made the motion to reschedule the date for a workshop to discuss on-going projects, grants, future projects, and state of the City to June 29, 2009, 7:00 p.m. Council Member Mayer seconded the motion and the motion carried unanimously.

**ITEM 11. CITY MANAGER'S UPDATE: BLOSSOM ST. LIFT STATION GRANT AND ORCA HARBOR GRANT.**

Mr. Sullinger stated repairs on the Blossom Street Lift Station had been ongoing for three years due to age of the facility and infiltration of clay into the lift station. He stated the City had applied for a grant the second time (\$300,000.00). He stated the grant had a match of \$60,000.00 but the City could use in-kind services for the match. He stated the grant called for repairing the lift station plus replacing 300 feet of sewer line down McCampbell Street.

Mr. Sullinger stated the ORCA grant pertaining to Hurricanes Ike and Dolly would be used to repair the damage to Conn Brown Harbor pilings and bulkheads. He stated the City would receive the grant for \$278,000.00 according to GrantWorks.

Mayor Knight stated two companies had approached him regarding bidding on removal of pilings and two other companies regarding concrete slab removal in Conn Brown Harbor. He stated he had told the companies to contact the Interim City Manager. He stated that work may fit in with the grant money.

Discussion was held regarding the original amount of the grant request and following the parameters of the grant.

**ITEM 12. CITIZENS' COMMENTS.**

Mayor Knight stated he, once again, wanted to recognize Lu and Ralph Arcemont, Karen Mayer and Ernest Kinikin/Public Works for hanging the historical pictures in the lobby and pictures in the Council Chambers. Mayor Knight stated all the pictures in the lobby of City Hall were the personal property of Lu and Ralph Arcemont and were on loan to the City.

Council Member Abrego thanked Acting Public Works Director Don Brummett, Public Works crew, Police Department, Fire Department and EMS for being at the Shrimporee. She stated she had received many compliments on the Departments' participation in the Shrimporee and wanted to thank the Departments for attending the event.

Mr. Sullinger commented the Police Department did a wonderful job at the Shrimporee. The event went smoothly with no problems whatsoever.

Fire Chief Rickie Kilgore reported Volunteer Firefighters participated at the Shrimporee, handing out bags of goodies to children and would continue to participate in the event.

**ITEM 13. RECESS REGULAR MEETING AND RETIRE TO EXECUTIVE SESSION PURSUANT TO CHAPTER 551 OF TEXAS GOVERNMENT CODE.**

Recessed into Executive Session at 7:27 p.m.

A Section 551.071 Consultation with City Attorney – Pending litigation

**ITEM 14. RECONVENE IN REGULAR MEETING AND CONSIDER AND ACT ON FINDINGS OF EXECUTIVE SESSION.**

Reconvened into Open Session at 8:15 p.m.

A        Section 551.071 Consultation with City Attorney – Pending litigation

Mayor Pro Tempore Attaway made the motion to approve the settlement offer of U.S. Bankruptcy Case No. 0803421 – North Bay General Hospital, Inc. versus San Patricio County, et al and the United States Bankruptcy Court, Southern District of Texas, Houston Division. Council Member Mayer seconded the motion and the motion carried unanimously.

Mayor Pro Tempore Attaway made the motion to authorize the City Attorney to continue negotiations as per the Council's discussion in Executive Session. Council Member Abrego seconded the motion and the motion carried unanimously.

**ITEM 13.**        **ADJOURNMENT OF MEETING.**

Mayor Pro Tempore Attaway made the motion to adjourn the meeting. Council Member Abrego seconded the motion and the motion carried unanimously.

Mayor Knight adjourned the meeting at 8:18 p.m.

\_\_\_\_\_  
Tommy Knight, Mayor

ATTEST:

\_\_\_\_\_  
Ada Owens, City Secretary